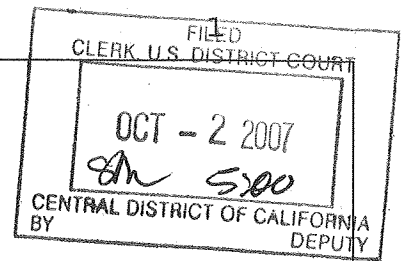


ORIGINAL



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

THE HONORABLE JAMES V. SELNA, JUDGE PRESIDING

UNITED STATES OF AMERICA,
Plaintiff,
vs.

KENNETH KETNER,
Defendant.

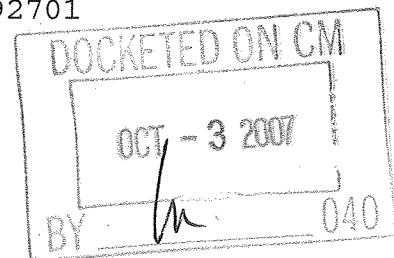
SACR-05-36-JVS

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Santa Ana, California

June 4, 2007

SHARON A. SEFFENS, RPR
United States Courthouse
411 West 4th Street, Suite 1-1053
Santa Ana, CA 92701
(714) 543-0870



SHARON SEFFENS, U.S. COURT REPORTER

201

1 APPEARANCES OF COUNSEL:

2 For the Plaintiff:

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Assistant United States Attorney

5 Chief, Santa Ana Division

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6 Assistant United States Attorney

U.S. District Courthouse

7 411 West Fourth Street, 8th Floor

Santa Ana, CA 92701

1 SANTA ANA, CALIFORNIA; JUNE 4, 2007; A.M. SESSION

2 (Defendant and defense counsel not present.)

3 THE CLERK: Item No. 3, SACR-05-36-JVS, United
4 States of America versus Kenneth Ketner.

5 May we have appearances, please.

6 MR. STOLPER: Andrew Stolper on behalf of the
7 United States.

8 THE COURT: I understand that you have worked out
9 the issue as to whether Mr. Ketner is in breach of the plea
10 agreement.

11 MR. STOLPER: That's correct. I apologize for
12 showing up late this morning. Yes, both parties have agreed
13 that there is no breach, and Mr. Ketner has come up with
14 additional money to pay his past due taxes, so we are going
15 to proceed to sentencing under the plea agreement with the
16 Court's permission.

17 THE COURT: Okay. I have not received any
18 additional briefing.

19 MR. STOLPER: The plan is for the parties to file
20 a stipulation today or tomorrow, which basically both
21 parties mutually agree that there is no breach. The
22 government will then file a revised sentencing position
23 based upon the notion that there is no breach. We will just
24 be arguing for the high end, and I assume the defendant will
25 be arguing for the low end, and we will hash that out.

1 THE COURT: When are you going to file your brief?

2 MR. STOLPER: I can get that filed as early today
3 as the Court would like.

4 THE COURT: Well, do you plan to put it over or
5 what?

6 MR. STOLPER: Mr. Bird has informed me that he has
7 some type of conflict today. He is asking I think for a
8 one-week continuance. It's my understanding he was going to
9 call today and set that up.

10 THE COURT: That's fine. I don't believe that the
11 defendant has responded to the supplemental presentence
12 report. Obviously I want to get that and give myself time
13 to reflect on the sentencing, so if you want to put it over
14 a week, that's fine by me. Just put in a stipulation. I
15 will assume that is going to happen.

16 MR. STOLPER: Okay. We will try and get that all
17 taken care of today or as late as tomorrow.

18 THE COURT: Very good. Thank you.

19 *(Proceedings were adjourned.)*

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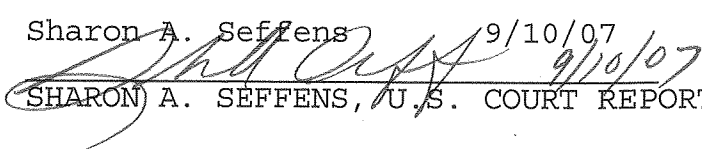
CERTIFICATE

I hereby certify that pursuant to Section 753,
Title 28, United States Code, the foregoing is a true and
correct transcript of the stenographically reported
proceedings held in the above-entitled matter and that the
transcript page format is in conformance with the
regulations of the Judicial Conference of the United States.

Date: September 10, 2007

Sharon A. Seffens

9/10/07

 9/10/07
SHARON A. SEFFENS, U.S. COURT REPORTER

SHARON SEFFENS, U.S. COURT REPORTER